

DRAFT
REGULATION FOR MANAGEMENT OF HIGH GLOBAL WARMING POTENTIAL
REFRIGERANTS SUMMARY OF CHANGES

The items listed below include potential major changes in the draft rule that are still under consideration and major changes in the draft rule that have been proposed since that last version of the draft rule was published in September 2008. Except as noted as still under consideration, all proposed changes listed are included in the draft rule published in January, 2009. The list below includes only major changes; changes that are considered minor clarifications or grammatical edits are not listed.

Potential Major Changes Still Under Consideration

§ 95383. General Requirements for Stationary Refrigeration and Air-Conditioning and Refrigeration System Registration, Leak Repair, and Reporting

- Revising due date of registration for operation and annual reporting for air-conditioning systems to after fiscal year 2014

Adding: § 95389. Technician Certification

Adding a regulatory or voluntary framework to ensure that certified technicians installing, maintaining, servicing, repairing, modifying, or disposing of refrigeration or air-conditioning appliances be certified by a technician certification program approved by the U.S. EPA or by the Executive Officer designed to train certified technicians to adhere to best management practices for refrigerant management.

Proposed Changes Included in Draft Rule

§ 95382. Definitions

Deleted:

Refrigerant Distributor

Refrigerant Wholesaler

Added:

Appliance

Medium Temperature Refrigeration system

Critical Charge

New Stationary Refrigeration or Air-

Direct Emissions

conditioning System

Existing Stationary Refrigeration or Air-conditioning System

Non-certified Technician

Facility

Optimal Charge

Global Warming Potential Value

Refrigerant Distributor or Wholesaler

Initial Refrigerant Charge

Residential

Low Temperature Refrigeration System

System Identification Number

Revised:

- Additional Refrigerant Charge – revised to not include an initial refrigerant charge
- Refrigeration and Air-conditioning Systems – revised to 1) explicitly exclude residential systems, 2) have a single refrigerant circuit, 3) define air-conditioning for comfort of persons and refrigeration for storage and manufacture, and 4) clarify that an appliance used for air conditioning and refrigeration is a Refrigeration System.

- Initial and Follow-up Verification Test – revised to be consistent with Code of Federal Regulations
- High-GWP Refrigerant – revised to include any ozone depleting substance
- Reclaim and Recycle – revised to be consistent with Code of Federal Regulations
- Refrigerant Leak – revised to include discharge from any refrigeration or air-conditioning appliance or refrigerant cylinder or other container
- Retrofit – revised to be consistent with industry use of term.
- Seasonal Adjustment – clarified that adjustments occur within 12-months of installation or major repair

§ 95383. General Requirements for Stationary Refrigeration and Air-Conditioning and Refrigeration System Registration, Leak Repair, and Reporting

(a) Registration for Operation

- Revised due date of first annual report
- Added facility and equipment information reporting items to allow ease of outreach to facilities and emission verifications consistent with process of emissions inventory analysis
- Added implementation fees to fund program administration and enforcement
- Added registration renewal process

(b) Leak Detection and Monitoring

- Revised all leak detection and monitoring requirements to start in 2010
- Clarified leak detection requirements for refrigeration and air-conditioning systems operating outside an enclosed building and for those not intended for year-round operation
- Added automatic leak detection and monitoring system requirements specific to minimum precision and maximum refrigerant concentration required to set alarms
- Added requirement to conduct a leak inspection upon receiving an alarm from an automatic leak detection system or requiring an additional refrigerant charge equal to the greater of five pounds or one percent of full charge

(c) Leak Repair

- Clarified requirement for leak repair by a certified technician that has a California contractors license or is an employee of a person holding a California contractors license, unless the technician is an employee of the facility operator
- Clarified leak repair upon any indication of a refrigerant leak at any time, as compared to a leak discovered by a leak inspection
- Clarified that an extension past 14 days for a leak repair is possible for up to 60 days

(d) Retrofit and Retirement Plan

- Removed requirement for Executive Officer or APCO approval of retrofit or retirement plan

(e) Required Service Practices

- Clarified that required service practices are specific to any refrigeration or air-conditioning appliance as compared to a refrigeration or air-conditioning system (refrigerant charge over 50 pounds of a high-GWP refrigerant)

- Added refrigerant cylinder evacuation requirement

(f) Reporting and Recordkeeping

- Clarified specific refrigeration or air-conditioning systems included in an annual report based on program phases
- Deleted annual reporting requirement for facilities with refrigeration or air-conditioning system with a refrigerant charge 50 pounds or greater, and less than 200 pounds
- Clarified reporting requirements for facilities with new refrigeration or air-conditioning systems with a refrigerant charge 200 pounds or greater starting after fiscal year 2012
- Clarified required reporting of leak inspections and automatic leak detection system audits as a refrigeration or air-conditioning system service
- Added information items to be reported to allow analysis of systems that most commonly cause leaks to allow outreach of best practices to avoid refrigerant leaks
- Added reporting of annual refrigerant inventory and refrigerant shipments for reclamation or destruction

§ 95384. General Requirements for Refrigerant Use, Sale, and Disposal

(a) Required Service Practices

- Moved all required service practices not specific to refrigeration distribution to § 95383
- Deleted refrigerant cylinder deposit requirement

(b) Prohibitions

- Clarified that high-GWP refrigerant purchase is allowed by a person who employs a certified technician
- Added prohibition of recycling or disposal prior to refrigerant cylinder evacuation

(c) Reporting and Recordkeeping

- Added facility information items to be reported to refrigerant distributor or wholesaler and certified reclaimer reporting
- Clarified reporting of sales for 1) new equipment and 2) service to existing equipment
- Added refrigerant distributor reporting of refrigerant shipments to a certified reclaimer
- Removed reporting related to cylinder deposits
- Removed transaction specific reporting by a certified reclaimer

§ 95385. Confidentiality

- Clarified that all reports specific to refrigeration or air-conditioning system service and leak repair is public information and other reporting may be designated as confidential to be managed in accordance with regulatory procedures specific to public disclosure of information

§ 95386. Enforcement

Clarified potential enforcement against non-certified technicians and other persons

Added: § 95387. Regulation Waiver

Added: § 95388. Conditional Exemptions